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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,802	11/30/2001	Carol Ivash Gabele	AUS920010960US1	9640

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EXAMINER

PHAN, THAI Q

ART UNIT	PAPER NUMBER
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2128

DATE MAILED: 01/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/997,802	Applicant(s) GABELE ET AL.	
	Examiner Thai Q. Phan	Art Unit 2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 October 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to applicants' amendment filed on 10/14/2005.

Claims 1-21 are pending in the action.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 11/09/2005 is being considered by the examiner.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Bleier et al, US patent no. 6,832,184 B1.

The applied reference has a common assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in

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the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As per claim 1, Bleier anticipates a method and system for simulating a design with feature limitations very identical to the claimed invention. According to Bleier, the method includes steps

Delivering an instrumentation or design verification event list to a simulation server,

Computing a first (script) identifier or digital signature as claimed for the instrumentation or design as being associated with simulation model (col. 8, line 65 to col. 9, line 28, col. 11, lines 34-59, cols. 12-14),

In response to receiving simulation data from the simulation client, utilizing the identifier or the digital signature to associated the simulation data with the simulation model as claimed (cols. 11-14).

As per claims 2-6, Bleier anticipates the claimed limitations for embedding or aggregating data for the simulation eventlist, generating an encrypted identifier or a digital signature for the simulation event and delivering the embedded or aggregate design packet to the simulation server (col. 12, line 58 to col. 14, line 65).

As per claim 7, Bleier anticipates a step of matching simulation data with an event list for a high fidelity simulation (col. 13, lines 3-9, lines 34-50, col. 14, line 15-31, for example).

As per claim 8, Bleier anticipates a method and system for simulating a design with feature limitations very identical to the claimed invention. According to Bleier, the system includes processing means and network servers, and processing steps:

Delivering an instrumentation or design verification event list to a simulation server,

Computing a first (script) identifier or digital signature as claimed for the instrumentation or design as being associated with simulation model (col. 8, line 65 to col. 9, line 28, col. 11, lines 34-59, cols. 12-14),

In response to receiving simulation data from the simulation client, utilizing the identifier or the digital signature to associated the simulation data with the simulation model as claimed (cols. 11-14).

As per claim 9, Bleier anticipates means for generating a simulation event, an eventlist, and a design simulation model.

As per claim 10, Bleier anticipates means for generating simulation files, event lists, etc. (col. 9, lines 45-54, col. 10, lines 15-38, for example).

As per claims 11-12, Bleier anticipates a class of the simulation event and data as claimed (col 12, line 58 to col. 13, line 9, col. 14, lines 15-40).

As per claims 13-14, Bleier anticipates the claimed limitations for embedding or aggregating data for the simulation eventlist, generating an encryptic identifier or a digital signature for the simulation event and delivering the embedded or aggregate design packet to the simulation server (col. 12, line 58 to col. 14, line 65). Bleier also

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anticipates a step of matching simulation data with an event list for a high fidelity simulation (col. 13, lines 3-9, lines 34-50, col. 14, line 15-31, for example).

As per claims 15-21, the claims are directed to a computer program product for associating instrumentation or design verification data with a simulation model within a network of simulators. Bleier anticipates a system and method with program product with feature limitations as indicated above to control and process the system operations. The claims are thus rejected in like manner.

Response to Arguments

Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US patent no. 6,978,231, issued to Williams et al, on Dec. 2005

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Q. Phan whose telephone number is 571-272-3783. .

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on 571-272-2279. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dec. 27, 2005


Thai Phan
Patent Examiner